

1 The Honorable Ricardo S. Martinez  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA,  
9  
10 Plaintiff,

v.

11 KENDLE RASHEN HAWKINS,  
12 Defendant.

No. CR21-5213 RSM

ORDER GRANTING DEFENDANT'S  
MOTION TO CONTINUE TRIAL DATE

13 THIS MATTER comes before the Court on Defendant Kindle R. Hawkins' Motion  
14 for a Continuance of the Trial Date. The court has considered the reasons for the motion, the  
15 agreement of the United States, and the file herein.

16 The Court finds that counsel for the defendant needs additional time to investigate the  
17 evidence supporting the charges brought by the government, determine the need for any  
18 pretrial motions pertaining to the evidence, and prepare for trial.

19 Based on these findings, the Court concludes that the continuance of the trial date  
20 sought by the defendant serves the ends of justice. Further, the ends of justice served by a  
21 continuance of this matter from December 5, 2022, outweighs the best interests of the public  
22 and the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. §  
23 3161(h)(7)(A). Proceeding to trial absent adequate time for the defense to prepare could

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1 result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i). Taking into account the  
2 exercise of due diligence, a continuance is necessary to allow the defendant the reasonable  
3 time for effective preparation for his defense. 18 U.S.C. § 3161(h)(7)(B)(iv).

4 Therefore, it is hereby

5 ORDERED that Kindle R. Hawkins' Motion to Continue the Trial Date is  
6 GRANTED. The Pretrial Motions Cut Off Date is continued to February 2, 2023. Responses  
7 to motions shall be due two weeks after the Pretrial Motions Cut Off date. The Trial Date is  
8 continued to March 20, 2023.

9 It is further

10 ORDERED that the time from the current trial date of December 5, 2022, until the  
11 new trial date of March 20, 2023, shall be excluded in counting the time within which trial of  
12 this case must commence pursuant to 18 U.S.C. § 3161(h)(7).

13 DATED this 5<sup>th</sup> day of October, 2022.



14  
15 RICARDO S. MARTINEZ  
16 UNITED STATES DISTRICT JUDGE  
17

18 Presented by:

19 /S/ John M. Sheeran  
20 JOHN M. SHEERAN, WSBA#26050  
Attorney for Defendant Kindle R. Hawkins

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